

# FEDERAL COMMUNICATIONS COMMISSION

CLASS OF STATION FM

MEH

MM 94-88

The following application is submitted for action by the Chief, Broadcast Bureau.

ST	FILE NUMBER	CALL	APPLICANT AND LOCATION	NATURE OF APPLICATION
FL	BPED -930316MF N/M	NEW 90.3MHZ	COMMUNITY EDUCATIONAL ASSOCIATION HOLLY HILL FL	CP FOR A NEW EDUCATIONAL FM ON FREQUENCY: 90.3MHZ; ERP: 2.0KW(H&V); HAAT: 59 METERS(H&V) 29 14 27 81 13 50

LICENSE EXPIRATION DATE \_\_\_\_\_

*P.D. 4-2-93*

*Mary L. Houser*  
\_\_\_\_\_  
CHIEF, LICENSE DIVISION

RECOMMENDATION: GRANT( ) CONSTRUCTION DATES, START \_\_\_\_\_ END \_\_\_\_\_

CONTESTED ( ) UNCONTESTED ( )

*DCD*  
*4.26.93*



APPROVED \_\_\_\_\_

\_\_\_\_\_  
FOR CHIEF, BROADCAST BUREAU

F.C.C.-WASHINGTON, D.C.

MM94-88

ORIGINAL

LAW OFFICES  
KENKEL AND ASSOCIATES

1901 L STREET, N.W.  
SUITE 200

WASHINGTON, D.C. 20036

WASHINGTON, D.C.  
POTOMAC, MD.

MAR 17 3 06 PM '93

AUDIO SERVICES

TELEPHONE  
(202) 659-4401  
(301) 299-6260  
FAX  
(202) 457-0426

JOHN B. KENKEL  
D.C. AND MD.

SCOTT CINNAMON  
OF COUNSEL, D.C.

March 16, 1993

RECEIVED

Ms. Donna Searcy, Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

MAR 16 1993

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In re: Community Educational Association  
Application for Non-commercial FM  
Station on Channel 212A,  
Holly Hill, Florida

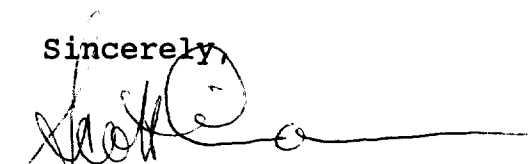
Dear Ms. Searcy:

For Community Educational Association, we are filing an original and two copies of an application for a non-commercial educational FM station on Channel 212A to serve the community of Holly Hill, Florida.

This is a non-fee application, and accordingly filed with your office.

If there is any question in connection with this application, please advise the undersigned.

Sincerely,



Scott Cinnamon

FM EXAMINERS

MAR 18 8 09 AM '93

RECEIVED

FMH  
3-22-93

FCC 340

MM 94-88  
Approved by OMB  
3080-0034  
Expires 4/30/92  
See Page 23 for information  
regarding public burden estimate

APPLICATION FOR CONSTRUCTION PERMIT FOR  
NONCOMMERCIAL EDUCATIONAL BROADCAST STATION  
(Carefully read instructions before filing form) Return only form to FCC

RECEIVED

MAR 17 3 06 PM '93

Section I - GENERAL INFORMATION

MAR 16 1993

For Commission Use Only

File No. BPED-930316  
AUDIO SERVICES

1. Name of Applicant FEDERAL COMMUNICATIONS COMMISSION OFFICE OF THE SECRETARY Community Educational Association			Send notices and communications to the following person at the address below: Name Scott Cinnamon		
Street Address or P.O. Box 2636 Mission Road #42			Street Address or P.O. Box 1901 L Street, N.W. Suite 200		
City Tallahassee	State FL	ZIP Code 32304	City Washington	State D.C.	ZIP Code 20036
Telephone No. (Include Area Code) (904) 576-9400			Telephone No. (Include Area Code) (202) 659-4401		

2. This application is for: ☐ AM ☒ FM ☐ TV

(a) Channel No. or Frequency 212 A 90.3	(b) Principal Community Holly Hill	City Holly Hill	State FL
--	---------------------------------------	--------------------	-------------

(c) Check one of the following boxes:

☒ Application for NEW station

☐ MAJOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MINOR change in licensed facilities; call sign: \_\_\_\_\_

☐ MAJOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ MINOR modification of construction permit; call sign: \_\_\_\_\_

File No. of construction permit: \_\_\_\_\_

☐ AMENDMENT to pending application; application file number: \_\_\_\_\_

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

3. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

If Yes, state:	Call letters	Community of License	
		City	State

90.3MHZ  
BPED -930316MF NEW  
HOLLY HILL FL  
COMMUNITY EDUCATIONAL ASSOCIATION

**Section II - LEGAL QUALIFICATIONS**

Name of Applicant

Community Educational Association

1. Applicant is: (Check one box below)

☐ (a) governmental or public educational agency, board or institution☐ (b) private nonprofit educational institution☒ (c) Other (specify) unincorporated association

2. For applicants 1(c) only, describe in an Exhibit the nature and educational purposes of the applicant.

Exhibit No.  
1

3. For applicants 1(c) applying for a new noncommercial educational television station only, describe in an Exhibit how the applicant's officers, directors and members of its governing board are broadly representative of the educational, cultural and civic segments of the principal community to be served.

Exhibit No.  
N/A

4. Describe in an Exhibit how the proposed station will be used, in accordance with 47 C.F.R. Section 73.503 or Section 73.621, for the advancement of an educational program.

Exhibit No.  
2

5. Is there any provision contained in any by-laws, articles of incorporation, partnership agreement, charter, statute or other document which would restrict the applicant in advancing an educational program or complying with any Commission rule, policy or provision of the Communications Act of 1934, as amended?

☐ Yes ☒ No

If Yes, provide particulars in an Exhibit.

Exhibit No.

**CITIZENSHIP AND OTHER STATUTORY REQUIREMENTS**

6. (a) Is the applicant in violation of the provisions of Section 310 of the Communications Act of 1934, as amended, relating to interests of aliens and foreign governments? (See Instruction B to Section II.)

☐ Yes ☒ No

(b) Will any funds, credits or other financial assistance for the construction, purchase or operation of the station(s) be provided by aliens, foreign entities, domestic entities controlled by aliens, or their agents?

☐ Yes ☒ No

If the answer to (b) above is Yes, attach an Exhibit giving full disclosure concerning this assistance.

Exhibit No.

7. (a) Has an adverse finding been made or an adverse final action taken by any court or administrative body as to the applicant or any party to this application in a civil or criminal proceeding brought under the provisions of any law related to the following:

Any felony; broadcast related antitrust or unfair competition; criminal fraud or fraud before another governmental unit; or discrimination?

☐ Yes ☒ No

(b) Is there now pending in any court or administrative body any proceeding involving any of the matters referred to in (a) above?

☐ Yes ☒ No

If the answer to (a) and/or (b) above is Yes, attach an Exhibit giving full disclosure concerning persons and matters involved, including an identification of the court or administrative body and the proceeding (by dates and file numbers), a statement of the facts upon which the proceeding is or was based or the nature of the offense alleged or committed, and a description of the current status or disposition of the matter.

Exhibit No.

Section II - LEGAL QUALIFICATIONS (Page 2)

PARTIES TO APPLICATION

8. Complete the following Table with respect to all parties to this application:

(NOTE: If the applicant considers that to furnish complete information would pose an unreasonable burden, it may request that the Commission waive the strict terms of this requirement with appropriate justification.)

**INSTRUCTIONS:** If applicant is a corporation or an unincorporated association with 50 or fewer stockholders, stock subscribers, holders of membership certificate or other ownership interest, fill out all columns, giving the information requested as to all officers, directors and members of governing board. In addition, give the information as to all persons or entities who are the beneficial or record owners of or have the right to vote capital stock, membership or ownership interests or are subscribers to such interests. If the applicant has more than 50 stockholders, stock subscribers or holders of membership certificates or other ownership interests, furnish the information as to officers, directors, members of governing board, and all persons or entities who are the beneficial or record owners of or have the right to vote 1% or more of the capital stock, membership or ownership interests. If applicant is a governmental or public educational agency, board or institution, fill out columns (a), (b), and (c) as to all members of the governing board and chief executive officers.

Name and Residence Address(es)	Office Held	Director or Member of Governing Board		% of: Ownership (O) or Voting Stock (VS) or Membership (M)
		YES	NO	
(a)	(b)	(c)		(d)
Jose Mercado 2636 Mission Road #42 Tallahassee, FL 32304	PRESIDENT	x		1/3 membership
Orlando Mercado Calle Santiago Riera Palmer #61 Altos Oeste Mayaguez, P.R. 00680	VICE-PRESIDENT	x		1/3 membership
Clara E. del Toro Calle Santiago Riera Palmer #61 Altos Oeste Mayaguez, P.R. 00680	SECRETARY/ TREASURER	x		1/3 membership

Section II - LEGAL QUALIFICATIONS (Page 3)

9. Does the applicant, or any party to the application, have a petition to migrate to the expanded band (1605-1705 kHz) or a permit or license either in the existing band or expanded band that is held in combination with the AM facility proposed to be modified herein?

☐ Yes ☒ No

If Yes, provide particulars as an Exhibit.

Exhibit No.

10. Does the applicant or any party to this application have, or have they had, any interest in:

(a) a broadcast station, or pending broadcast station application before the Commission?

☐ Yes ☒ No

(b) a broadcast application which has been dismissed with prejudice by the Commission?

☐ Yes ☒ No

(c) a broadcast application which has been denied by the Commission?

☐ Yes ☒ No

(d) a broadcast station, the license of which has been revoked?

☐ Yes ☒ No

(e) a broadcast application in any pending or concluded Commission proceeding which left unresolved character issues against the applicant?

☐ Yes ☒ No

If the answer to any of the questions in (a)-(e) above is Yes, state in an Exhibit the following information:

Exhibit No.

- (1) Name of party having interest;
- (2) Nature of interest or connection, giving dates;
- (3) Call letters of stations or file number of application or docket; and
- (4) Location.

### SECTION III - FINANCIAL QUALIFICATIONS

Note: If this application is for a change in an operating facility, DO NOT fill out this Section.

1. Is this application contingent upon receipt of a grant from the National Telecommunications and Information Administration? ☐ Yes ☒ No
2. Is this application contingent upon receipt of a grant from a charitable organization, the approval of the budget of a school or university, or an appropriation from a state, county, municipality or other political subdivision? ☐ Yes ☒ No

NOTE: If either Questions 1 or 2 is answered "Yes," your application cannot be granted until all of the necessary funds are committed or appropriated. In the case of grants from the National Telecommunications and Information Administration, no further action on your part is required. If you rely on funds from a source specified in Question 2, you must advise the F.C.C. when the funds are committed or appropriated. This should be accomplished by letter amendment to your application, in triplicate, signed in the same manner as the original application, and clearly identifying the application to be amended.

3. The applicant certifies, except as noted above, that sufficient net liquid assets are on hand or that sufficient funds are available from committed sources to construct and operate the requested facilities for three months without additional funds. ☒ Yes ☐ No

### SECTION IV - PROGRAM SERVICE STATEMENT

Attach as an Exhibit, a brief description, in narrative form, of the planned programming service relating to the issues of public concern facing the proposed service area.

Exhibit No.  
2

NOTE: No program service statement need be filed where the proposed station's programming would be wholly "instructional" as that type of programming is defined in the Instructions to this Section.

## SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees?

☐ Yes ☒ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 396-A).

## SECTION VII - CERTIFICATION

1. Has or will the applicant comply with the public notice requirements of 47 C.F.R. Section 73.3580?

☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. *(See Section 304 of the Communications Act of 1934, as amended.)*

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.65, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

### WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND IMPRISONMENT.

#### U.S. CODE, TITLE 18, SECTION 1001.

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

The Applicant certifies that no party to the application is subject to a denial of Federal benefits pursuant to Sec. 5301 of the Anti-Drug Abuse Act of 1988 21 USC Sec. 862

Name of Applicant Community Educational Association	Title PRESIDENT
Signature <i>Jose A. Mendez</i>	Date March 8, 1993

### FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The principal purpose for which the information will be used is to determine if the benefit requested is consistent with the public interest. The staff, consisting variously of attorneys, analysts, engineers and applications examiners, will use the information to determine whether the application should be granted, denied, dismissed, or designated for hearing. If all the information is not provided, the application may be returned without action having been taken upon it or its processing may be delayed while a request is made to provide the missing information. Accordingly, every effort should be made to provide all necessary information. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 76 to 80 hours with an average of 78 hours 04 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Office of Managing Director, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0034), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

Community Educational Association  
Form 340  
Exhibit # 1

Community Educational Association ("CEA") is a not-for-profit company organized for educational, charitable, literary and scientific purposes. CEA will, upon grant of its application, provide the residents of Holly Hill and its surrounding area with a source of educational programming. CEA will seek out the opinions of local leaders in business, religion, education, etc., in an effort to better determine the issues and concerns of the community so that responsive programming can be broadcast.

Community Educational Association  
Form 340  
Exhibit # 2

Community Educational Association ("CEA") proposes to establish a facility that will provide non-commercial, educational FM service to the community of Holly Hill, Florida and its surrounding area. The station will broadcast educational programming (including, but not limited to religious programming) informational programming (including news and locally originated public affairs programs) and entertainment. The station will address important community issues, such as crime, drug abuse, family life and local politics.

The percentage of time dedicated to news, public affairs and educational/instructional programming will compare favorably with the guidelines established by the FCC in the Moody Bible Institute Case, [66 FCC 2d 162, 40 RR2d 1264 (1977)], as explained to CEA by its counsel.



ORIGINAL

ENGINEERING EXHIBIT  
IN SUPPORT OF AN  
APPLICATION FOR CONSTRUCTION PERMIT  
FOR A NEW  
NON-COMMERCIAL EDUCATIONAL STATION  
TO SERVE HOLLY HILL, FLORIDA  
CHANNEL 212 - 2.0 KW - 59 M HAAT

Applicant: Community Educational Association

February, 1993

## TABLE OF CONTENTS

FCC FORM 340, SECTION V-B

STATEMENT OF WILLIAM J. GETZ

<u>EXHIBIT</u>	<u>EXHIBIT NUMBER</u>
FAA Notice of Proposed Construction	1
Vertical Plan Antenna Sketch	2
Map of Proposed Transmitter Site	3
Proposed 1.0 mV/m Coverage Area	4
First-Adjacent Channel Overlap Study	5
Second-Adjacent Channel Overlap Study	6
Intermediate Frequency Allocation Study	7
TV Channel 6 Interference Study	8,9

# Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. \_\_\_\_\_

ASB Referral Date \_\_\_\_\_

Referred by \_\_\_\_\_

Name of Applicant

Community Educational Association

Call letters (if issued)

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: \_\_\_\_\_

Purpose of Application: (check appropriate box(es))

☒ Construct a new (main) facility

☐ Construct a new auxiliary facility

☐ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

If purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☐ Antenna supporting-structure height

☐ Effective radiated power

☐ Antenna height above average terrain

☐ Frequency

☐ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) \_\_\_\_\_

## 1. Allocation:

Channel No.	Principal community to be served:		
	City	County	State
212	Holly Hill	Volusia	FL

Class (check only one box below)

☒ A ☐ B1 ☐ B ☐ C3

☐ C2 ☐ C1 ☐ C ☐ D

## 2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

South side of Rt. 40, 6.0 miles east of intersection of Rt. 40 and Rt. 11, Volusia Co., FL.

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array.

Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	29°	14'	27"	Longitude	81°	13'	50"
----------	-----	-----	-----	-----------	-----	-----	-----

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)?

☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both.

N/A

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any.

N/A

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	0	'	"	Longitude	0	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.  
Not Available

Date February 18, 1993 Office where filed Southern Regional

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway. There are no landing areas within 8 km of the proposed site.

Landing Area	Distance (km)	Bearing (degrees True)
(a) _____	_____	_____
(b) _____	_____	_____

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 9 meters

(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 59 meters

(3) of the top of supporting structure above mean sea level [(aX1) + (aX2)] 68 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground 58 meters (H)

58 meters (V)

(2) above mean sea level [(aX1) + (bX1)] 67 meters (H)

67 meters (V)

(3) above average terrain 59 meters (H)

59 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(bX3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.  
2

9. Effective Radiated Power:

(a) ERP in the horizontal plane 2.0 kw (H\*) 2.0 kw (V\*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.  
N/A

N/A kw (H\*) N/A kw (V\*)

\*Polarization

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of horizontally and vertically polarized radiated components in terms of relative field.

Exhibit No.  
N/A

11. Will the main studio be located within the 70 dBu or 3.16 mV/m contour?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.  
N/A

12. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast *(except citizens band or amateur)* radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☐ Yes ☒ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. *(See 47 C.F.R. Sections 73.315(b), 73.316(d) and 73.318.)*

Exhibit No.  
N/A

13. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction D for Section V. Further, the map must clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.  
3

14. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
4

(a) the proposed transmitter location, and the radials along with profile graphs have been prepared;

(b) the 1 mV/m predicted contour and, for noncommercial educational applicants applying on a commercial channel, the 3.16 mV/m contour; and

(c) the legal boundaries of the principal community to be served.

15. Specify area in square kilometers (1 sq. mi. = 2.59 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 903 sq. km.

Population 51,027

16. Attach as an Exhibit a map *(Sectional Aeronautical charts where obtainable)* showing the present and proposed 1 mV/m (60 dbu) contours.

Exhibit No.  
N/A

Enter the following from Exhibit above:

Gain Area N/A sq. mi.  
Loss Area N/A sq. mi.

Percent change (gain area plus loss area as percentage of present area) N/A %.

If 50% or more this constitutes a major change. Indicate in question 2(c), Section I, accordingly.

17. For an application involving an auxiliary facility only, attach as an Exhibit a map (*Sectional Aeronautical Chart or equivalent*) that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.  
N/A

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license. See 47 C.F.R. Section 73.1675. (File No.: N/A)

18. Terrain and coverage data (*to be calculated in accordance with 47 C.F.R. Section 73.3131*).

Source of terrain data: (*check only one box below*)

☒

Linearly interpolated 30-second database

☐

7.5 minute topographic map

(Source: TGP-0050)

☐

Other (*briefly summarize*)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 3 to 16 km (meters)	Predicted Distances to the 1 mV/m contour (kilometers)
0	61	17.2
45	61	17.2
90	60	17.1
135	59	16.9
180	56	16.4
225	55	16.3
270	61	17.2
315	62	17.3

#### Allocation Studies

(See Subpart C of 47 C.F.R. Part 73)

19. Is the proposed antenna location within 320 kilometers (199 miles) of the common border between the United States and Mexico?

☐

Yes

☒

No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Agreement between the United States of America and the United Mexican States concerning Frequency Modulation Broadcasting in the 88 to 108 MHz band.

Exhibit No.  
N/A

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

20. Is the proposed antenna location within 320 kilometers of the common border between the United States and Canada?

☐ Yes ☒ No

If Yes, attach as an Exhibit a showing of compliance with all provisions of the Working Agreement for Allocation of FM Broadcasting Stations on Channels 201-300 under The Canada-United States FM Agreement of 1947.

Exhibit No.  
N/A

21. If the proposed operation is for a channel in the range from channel 201 through 220 (88.1 through 91.9 MHz), or if this proposed operation is for a class D station in the range from Channel 221 through 300 (92.1 through 107.9 MHz), attach as an Exhibit a complete allocation study to establish the lack of prohibited overlap of contours with other U.S. stations. The allocation study should include the following:

Exhibit No.  
5,6

- (a) The normally protected interference-free and the interfering contours for the proposed operation along all azimuths.
- (b) Complete normally protected interference-free contours of all other proposals and existing stations to which objectionable interference would be caused.
- (c) Interfering contours over pertinent arcs of all other proposals and existing stations from which objectionable interference would be received.
- (d) Normally protected and interfering contours over pertinent arcs, of all other proposals and existing stations, which require study to show the absence of objectionable interference.
- (e) Plot of the transmitter location of each station or proposal requiring investigation, with identifying call letters, file numbers and operating or proposed facilities.
- (f) When necessary to show more detail, an additional allocation study will be attached utilizing a map with a larger scale to clearly show interference or absence thereof.
- (g) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire Exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (h) The name of the map(s) used in the Exhibit(s).

22. With regard to any stations separated by 53 or 54 channels (10.6 or 10.8 MHz) attach as an Exhibit information required in 1/ *(separation requirements involving intermediate frequency (i.f.) interference)*.

Exhibit No.  
7

23.(a) Is the proposed operation on Channel 218, 219, or 220?

☐ Yes ☒ No

(b) If the answer to (a) is yes, does the proposed operation satisfy the requirements of 47 C.F.R. Section 73.207? N/A

☐ Yes ☐ No

(c) If the answer to (b) is yes, attach as an Exhibit information required in 1/ regarding separation requirements with respect to stations on Channels 221, 222 and 223.

Exhibit No.  
N/A

(d) If the answer to (b) is no, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.  
N/A

1/ A showing that the proposed operation meets the minimum distance separation requirements. Include existing stations, proposed stations, and cities which appear in the Table of Allotments; the location and geographic coordinates of each antenna, proposed antenna or reference point, as appropriate; and distance to each from proposed antenna location.

**SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 6)**

- (e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.  
N/A

- (1) Protected and interfering contours, in all directions (360 ), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

24. Is the proposed station for a channel in the range from Channel 201 to 220 (88.1 through 91.9 MHz) and the proposed antenna location within the distance to an affected TV Channel 6 station(s) as defined in 47 C.F.R. Section 73.525?

☒ Yes ☐ No

If Yes, attach as an Exhibit either a TV Channel 6 agreement letter dated and signed by both parties or a map and an engineering statement with calculations demonstrating compliance with 47 C.F.R. Section 73.525 for each affected TV Channel 6 station.

Exhibit No.  
8,9

25. Is the proposed station for a channel in the range from Channel 221 to 300 (92.1-107.9 MHz)?

☐ Yes ☒ No

If Yes, attach as an Exhibit information required in 1/. (Except for Class D (secondary) proposals.)

Exhibit No.  
N/A

26. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact?

☐ Yes ☒ No


If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.  
N/A

If No, explain briefly why not. See Engineering Statement.

**CERTIFICATION**

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed)	Relationship to Applicant (e.g., Consulting Engineer)
William J. Getz	Technical Consultant
Signature	Address (Include ZIP Code)
	Carl T. Jones Corporation 7901 Yarnwood Court Springfield, VA 22153
Date	Telephone No. (Include Area Code)
February, 19, 1993	( 703 ) 569-7704

***CARL T. JONES***  
***CORPORATION***

STATEMENT OF WILLIAM J. GETZ  
IN SUPPORT OF AN APPLICATION FOR  
A NEW NONCOMMERCIAL EDUCATIONAL FM FACILITY  
TO SERVE HOLLY HILL, FLORIDA  
CHANNEL 212A -- 2.0 kW -- 59 M HAAT

Prepared for: Community Educational Association

I am a Radio Engineer, an employee in the firm of Carl T. Jones Corporation with offices located in Springfield, Virginia.

My education and experience are a matter of record with the Federal Communications Commission.

This office has been authorized by Community Educational Association to prepare this statement and the associated exhibits in support of an Application for Construction Permit for a new noncommercial educational FM facility to serve Holly Hill, Florida.

The proposed noncommercial educational radio station will operate on channel 212 with a nondirectional Effective Radiated Power (ERP) of 2.0 kW with an antenna Height Above Average Terrain (HAAT) of 59 meters. The applicant proposes to construct a new 195 foot (59 meter) tower to house the proposed one-bay FM antenna. Exhibit 1 is a copy of the Notice of Proposed Construction (FAA Form 7460-1) describing the proposed facility which was forwarded to the Federal Aviation Administration on February 18, 1993. Exhibit 2 is a vertical plan antenna sketch depicting the pertinent antenna/tower elevations.

### TECHNICAL FACILITIES

The applicant proposes to side-mount a new one-bay nondirectional antenna on the proposed support structure such that the radiation centerline is 58 meters Above Ground Level ("AGL") and 67 meters Above Mean Sea Level ("AMSL"). The overall height of the structure, including all appurtenances, shall be 59 meters AGL and 68 meters AMSL.

The type-accepted transmitter capable of achieving the required transmitter power output to achieve an ERP of 2.0 kW will be located in a building in the area immediately surrounding the base of the tower.

### PREDICTED COVERAGE CONTOURS

The predicted 1.0 mV/m (60 dBu) coverage contours were calculated in accordance with the method described in Section 73.313 of the Rules using the appropriate F(50,50) propagation curves from the Rules (Section 73.333, Figure 1), effective radiated power, and antenna height above average terrain as determined for each profile radial. Average terrain data from the proposed site were obtained from the National Geophysical Data Center thirty-second point topographic database (TGP-0050). The site elevation was determined using the U.S. Geological Survey 7.5 minute topographic map attached as Exhibit 3. Exhibit 3 is a full-size copy of the topographic

STATEMENT OF WILLIAM J. GETZ  
NEW(FM) -- HOLLY HILL, FLORIDA  
PAGE 3

map depicting the proposed site location and surrounding terrain. The antenna's height above average terrain as calculated from the transmitter site is 59 meters.

The predicted 1.0 mV/m (60 dbu) coverage contour for the proposed operation is shown in Exhibit 4.

FM ALLOCATION CONSIDERATIONS

A complete noncommercial educational allocation study was preformed in accordance with Section 73.509 of the FCC Rules to ensure that the proposed operation would neither cause nor receive prohibited overlap with respect to any licensed broadcast facility, outstanding construction permit, or pending application pertinent to the instant proposal.

Exhibits 5 and 6 illustrate the lack of prohibited first-adjacent channel and second-adjacent channel overlap, respectively. Because there is no cochannel or third-adjacent channel station or proposal within the distances specified in Section 73.207 of the FCC Rules, it is submitted that the instant proposal will neither cause nor receive prohibited overlap with respect to any cochannel or third-adjacent channel station.

Exhibit 7 is an intermediate frequency (IF) allocation study considering existing stations, proposed stations, and allocations on channels 265 and 266 (54 and 55 channels removed from the proposed channel of operation). As the exhibit illustrates, the

STATEMENT OF WILLIAM J. GETZ  
NEW(FM) -- HOLLY HILL, FLORIDA  
PAGE 4

instant proposal satisfies the minimum distance separations specified for IF-related stations in Section 73.207 of the FCC Rules.

TV CHANNEL SIX ALLOCATION STUDY

The instant proposal is separated from television channel 6 station WCPX(TV), Orlando, Florida, by 72.0 kilometers. Because this distance is less than the 195 kilometer separation specified in Section 73.525(a)(1), WCPX(TV) is considered an "affected TV Channel 6 station." As a result, the instant proposal is subject to the provisions of Section 73.525 with respect to WCPX(TV).

The WCPX(TV) protected Grade B contour is the 47 dBu field strength contour. The associated FM channel 212 interfering contour is the 68.7 dBu field strength contour calculated in accordance with Section 73.525(e)(1)(ii) which lies entirely within the WCPX(TV) Grade B contour. For the portion of the area of potential overlap which lies outside the WCPX(TV) Grade A contour, the geometry of the NEW(FM)/WCPX(TV) relationship is such that the conditions in Section 73.525(e)(1)(iii) are satisfied and a 6 dB adjustment for TV antenna directivity must be considered for this portion of the FM interfering contour. As a result, this portion of the proposed interfering contour is the 74.7 dBu field strength contour. Along the arc that the proposed 68.7 dBu interfering contour lies within the WCPX(TV) Grade A contour, and along the arc from 110° to 250° (relative to the azimuth from the FM transmitter site to the TV transmitter site), the 6 dB

STATEMENT OF WILLIAM J. GETZ  
NEW(FM) -- HOLLY HILL, FLORIDA  
PAGE 5

adjustment was not added. A worst-case ERP of 2.2 kW (Horiz. ERP + Vert. ERP/10) was considered in computing the proposed FM interfering contour distance in accordance with Section 73.525(e)(4)(ii).

Exhibit 8 depicts the WCPX(TV) Grade A and Grade B contours and the area of predicted overlap caused by the instant proposal to WCPX(TV). Exhibit 9 is an enlarged depiction of the overlap area transferred to a U.S. Census Map of the Daytona Beach urbanized area. The population within the affected area is approximately 869 persons according to the 1990 U.S. Census of Population. Section 73.525(c) allows for an affected population of up to 3,000 persons within the television station's Grade B contour. Because the affected population is substantially less than 3,000 persons, it is submitted that the instant proposal satisfies the protection criteria contained in Section 73.525 of the FCC Rules with respect to WCPX(TV), Orlando, Florida.

## ENVIRONMENTAL CONSIDERATIONS

### GENERAL

The proposal described herein meets the criteria specified in Section 1.1306 of the FCC Rules and Regulations as an action which is categorically excluded from environmental processing. The proposed FM facility involves neither a site location specified under Section 1.1307(a)(1)-(7) of the Rules nor high intensity lighting as specified in Section 1.1307 (a)(8).

### RADIOFREQUENCY IMPACT

Effective January 1, 1986, the FCC amended its Rules and Regulations to expand the manner in which the agency implemented the National Environmental Policy Act of 1969 (NEPA). This Commission action established procedures for evaluating the significance of radiofrequency (RF) radiation upon the environment from an FCC-regulated transmission facility. The adopted guidelines with respect to human exposure were those issued in 1982 by the American National Standards Institute (ANSI). In October 1985, the FCC issued OST Bulletin No. 65 entitled, "Evaluating Compliance with FCC-Specified Guidelines for Human Exposure to Radiofrequency Radiation" to aid in the radiation exposure analysis. This Bulletin is based on the ANSI guideline as well as other current literature including models contained in the Environmental Protection Agency's "An Engineering Assessment of the Potential Impact of Federal Radiation Protection Guidance on the AM, FM and TV Broadcast Service." The Bulletin describes procedures for conducting an analysis including mathematical equations that can be used to determine compliance with the Commission's guidelines. The ANSI guideline value (Table 1, Appendix A) is 1.0 milliwatt per centimeter squared ( $\text{mW}/\text{cm}^2$ ) for FM facilities.

STATEMENT OF WILLIAM J. GETZ  
NEW(FM) -- HOLLY HILL, FLORIDA  
PAGE 7

The proposed FM facility will operate with a one-bay nondirectional antenna. The proposed radiation centerline is 58 meters AGL, and the proposed Effective Radiated Power is 2.0 kW. There are no other potential contributors on the proposed support structure.

Based on the "worst-case" considerations, the predicted power density at two meters AGL is 4.26% of the ANSI guideline value.

OCCUPATIONAL SAFETY

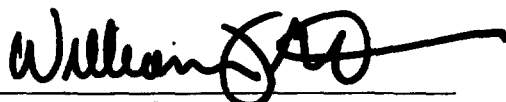
The applicant will ensure the protection to personnel during periods when work is performed on or near the tower or antenna. If necessary, the applicant will go "off-the-air" during periods of such maintenance.

In light of the above, the proposed facility should be categorically excluded from RF environmental processing under Section 1.1307(b) of the Commission's Rules.

SUMMARY

It is submitted that the proposal described herein complies with the Rules and Regulations of the Federal Communications Commission. This statement, FCC Form 340, and the attached exhibits were prepared by me or under my direct supervision and are believed to be true and correct.

DATED: February 19, 1993

  
William J. Getz